

DAVID DITTER,)
)
Plaintiff,) 4:16CV3159
)
v.)
)
NEBRASKA DEPARTMENT OF) **ORDER**
CORRECTIONAL SERVICES,)
SCOTT FRAKES, in his individual &)
official capacity, RANDY T. KOHL,)
MD, in his individual & official)
capacity, CORRECT CARE)
SOLUTIONS, RONALD OGDEN,)
DDS, in his individual & official)
capacity, and LISA MATHEWS, in)
her individual & official capacity,)
)
Defendants.)
)

On June 14, 2018, Plaintiff filed a Motion to Appoint Counsel (Filing No. [106](#)). Because this case is now on appeal, this motion will be forwarded to the Eighth Circuit Court of Appeals for ruling. Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion for Leave to Appeal In Forma Pauperis (Filing No. [103](#)) is denied as moot for the reason that Plaintiff's appellate filing fee has been paid;
2. Plaintiff's Motion to Appoint Counsel (Filing No. [106](#)) is referred to the Eighth Circuit Court of Appeals for disposition; and
3. The Clerk of Court shall send a copy of this Order and Plaintiff's Motion to Appoint Counsel (Filing No. [106](#)) to the Eighth Circuit Court of Appeals for disposition.

DATED this 18th day of June, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge